



GOVERNMENT OF KERALA
General Administration (Special-A) Department

ORDER

No. 36648/Spl. A1/2007/GAD. *Dated, Thiruvananthapuram, 1st June 2007.*

The following order of the Government of India, Ministry of Personnel, Public Grievances and pensions (Department of Personnel & Training), New Delhi is republished.

By order of the Governor,

K. UNNIKRISHNAN UNNITHAN
Joint Secretary to Government.

[No. 22012/44/2006-AIS (1)]

GOVERNMENT OF INDIA

[Ministry of Personnel, Public Grievances & Pensions]
Department of Personnel and Training

New Delhi, 23rd April, 2007.

ORDER

WHEREAS, the Hon'ble CAT, Ernakulam Bench passed order in O. A. No. 509 of 2006 directing the respondents to convene the meeting of the Selection Committee for promotion to IAS cadre of Kerala for the year 2005 and to publish the Select List well before 31-10-2006;

2. AND WHEREAS, in compliance with the directions dated 15-9-2006 of the Hon'ble Tribunal in the above OA the Union Public Service Commission convened the meeting of the Selection Committee at New Delhi on 23rd October, 2006. After getting comments of the State Government on the minutes of the SCM as well as the comments of this Department the UPSC convened approval to the Select List on 1st December, 2006 by which time the applicant Sh. Johnson K. George had retired on 31-10-2006 on attaining the age of superannuation. The Select List as well as the appointment of the officers excluding the name of Sh. George was notified on 5th January, 2007;

G. 595/2007/G.

3. AND WHEREAS, aggrieved with non-inclusion of his name in the list of officers appointed to IAS in the notification dated 5-1-2007 Sh. George filed a Misc. Application No. 32/2007 before the Ernakulam Bench of CAT praying therein that respondents may be directed to appoint the applicant as a member of IAS in one of the vacancy that arose between 1-1-2004 to 31-12-2004 for which the applicant was selected by Union Public Service Commission on 23-10-2006 with all consequential benefits including seniority ;

4. AND WHEREAS, the Hon'ble Tribunal in its order dated 18-1-2007 in the said M. A. No. 32/2007 directed the respondents to appoint the applicant by 31-1-2007. However, the order of CAT dated 18-1-2007 was received by this Department on 1-2-2007, i.e. after the date of compliance of the order ;

5. AND WHEREAS, this Department assailed the order of the Tribunal dated 18-1-2007 in M. A. No. 32/2007 in OA No. 509/2006 in Writ Petition No. 12413/2007 along with a Stay Application before the Hon'ble High Court of Kerala. The Hon'ble High Court while admitting the Appeal, has declined the prayer of the petitioner for stay or the aforesaid order of the Tribunal and has directed that implementation of the order of the learned Tribunal will be subject to the result of the Writ Petition ;

6. AND WHEREAS, the Hon'ble Tribunal has initiated proceedings for contempt and issued Notice in Contempt Petition (CIVIL) No. 11/2007 in M. A. No. 32/2007 in OA No. 509/2006 ;

7. NOW THEREFORE, in pursuance of the directions dated 18-1-2007 in M. A. No. 32/2007 in OA No. 509/2006 of the Hon'ble CAT, Ernakulam Bench, wherein the Union of India has been directed to appoint the applicant in one of the vacancies that arose between 1-1-2004 and 31-12-2004 for which the applicant was selected by Union Public Service Commission on 23-10-2006 and included in the Select List by notification dated 5-1-2007, the President, in exercise of the powers conferred by sub rule (1) of rule 8 of the IAS (Recruitment) Rules, 1954 read with sub regulation (1) of the Regulation 9 of the IAS (Appointment by Promotion) Regulations, 1955 and rule 3 of the IAS (Probation) Rules, 1954 is pleased to appoint Sh. Johnson K. George (Date of birth : 18-10-1951) to the IAS Cadre of Kerala. The appointment of Sh. George to IAS will be subject to the outcome of Writ Petition No. 12413/2007 filed before the Hon'ble High Court of Kerala.

By order and in the name of the President,

PARMA NAND

Under Secretary to the Government of India.